

## **REMARKS/ARGUMENTS**

The present Amendment is responsive to the non-final Office Action mailed November 20, 2007, in the above-identified application.

New claim 17 is added. Therefore, claims 2-17 are the claims currently pending in the present application.

Claim 15 is amended to remove a redundant phrase and to conform it more closely to U.S. patent practice style. Claim 7 is amended to clarify a feature recited thereby.

### ***Rejection of Claim 15 under 35 U.S.C. § 103***

Claim 15 is rejected under 35 U.S.C. § 103 as being obvious from Joss et al., U.S. Patent No. 6,684,073 in view of McCombe, GB Patent 2,280,085, Ahn et al., U.S. Patent 6,681,111 in view of Foti et al., U.S. Patent No. 6,546,247. Reconsideration of this rejection is respectfully requested.

According to an aspect of Applicant's invention as claimed in claim 15, a system is provided that tracks a mobile telephone subscriber unit that travels or roams from a home network of a mobile subscriber unit to a foreign network. The mobile telephone subscriber unit is tracked so that "contracted advanced services," which claim 15 defines as "services that are not provided for in general mobile telephony standards but which are contracted for by the subscriber unit in the home network," can be provided even when the subscriber is roaming in the foreign network. It is respectfully submitted that these are aspects of the system, namely that it tracks a unit currently roaming in a foreign network in order to continue to provide contracted advanced services (or to determine whether the provision of such contacted advanced services are currently feasible in the foreign network), which must be born in mind when reading the claim.

In particular, according to an aspect of Applicant's invention as discussed, for example, on page 5, lines 20-29, when an event-based service such as event generator 11 generates a subscription service, such as news, for the mobile subscriber, module 19 consults the second data storage unit to determine whether the subscriber is located in a foreign network, and determines whether the contracted advanced service can be provided in the foreign network by referring to the features data stored in the second data storage unit.

Claim 15 requires a system for tracking a mobile telephone subscriber unit traveling between a home network of the mobile subscriber unit and a foreign network to enable provision,

as contracted advanced services, of services that are not provided for in general mobile telephony standards but which are contracted for by the subscriber unit in the home network, the system comprising a contracted service module operable to provide the contracted advanced services to the mobile subscribing unit by referring to the features data stored in the second data storage unit to determine whether the mobile subscribing unit is capable of receiving the contracted advanced services in the foreign network.

The Office Action acknowledges that Joss is silent as to a contracted service module operable to provide the contracted advanced services to the mobile subscriber unit in the foreign network by referring only to the identifying data stored in the second data storage unit to determine the location of the mobile subscriber, as required by claim 15 (Office Action, page 5). However, the Office Action alleges that McCombe discloses a special service module that, in response to identifying the data stored in an HLR, provides contracted special services to the mobile subscribers in the foreign networks, citing McCombe, page 14, line 19 – page 15, line 3 (Office Action, page 5).

The Office Action identifies the MSC (Mobile Service Switching Center 32A/32B) of McCombe as the special service module, and identifies McCombe's charging information associated with call forwarding as the special service.

First, it is respectfully submitted that, as shown for example in McCombe Fig. 2, the MSC handles communication between the base station 22A (and 24A and 26A) and either the Home Location Register (HLR) 40A or the Visitor Location Register (VLR) 42A. The MSC is not a contracted service module, as required by claim 15.

Further, McCombe does not disclose or suggest referring to the features data stored in the second data storage unit to determine whether the mobile subscriber unit is capable of receiving the contracted advanced services in the foreign network, as further required by claim 15.

Ahn does not cure these deficiencies of Joss and McCombe as they relate to the above-cited features of claim 15. Ahn discloses an international roaming gateway system (IRGS) by which a CDMA (Code Division Multiple Access) telephone system 100 is connected with a GSM (Global Satellite Mobile) telephone system 200. Ahn is concerned with providing short messages by registering locations and transmitting and receiving signals for a roaming service system (Ahn, Col. 1, lines 14-17). Ahn discloses that an IRGS (International Roaming Gateway System) 300 functions as the Home Location Register (HLR) to manage the profiles of Global

Systems for Mobile Communication (GSM) SIM subscribers newly arrived to a network from a viewpoint of the CDMA (Code Divisional Multiple Access) system 100 and functions as the VLR (Visitor Locations Register) in order read the location of the roaming GSM SIM subscriber via the IRGS 300.

Thus, Ahn is unrelated to the problem of tracking a mobile unit to enable provision of contracted advanced services (services that are not provided for in general mobile telephony standards but which are contracted for by the mobile unit in the home network). Further, Ahn does not disclose or suggest a contracted service module that refers to the features data stored in a second data storage unit to determine whether the mobile unit is capable of receiving the contracted advanced services in a foreign network. Accordingly, Joss, McCombe and Ahn do not disclose or suggest the features of claim 15.

The newly-cited Foti reference discloses a system that processes an incoming real-time telephone call to a mobile station in a hybrid radio telephone communications network with both second generation (2G) and third generation (3G) service nodes (Foti, Abstract).

Foti is unrelated to the problem of tracking a mobile unit to enable provision of contracted advanced services (services that are not provided for in general mobile telephony standards but which are contracted for by the mobile unit in the home network). Further, Foti does not disclose or suggest a contracted service module that refers to the features data stored in a second data storage unit to determine whether the mobile unit is capable of receiving the contracted advanced services in a foreign network. Accordingly, even taken together in combination, Joss, McCombe and Foti do not disclose or suggest the features of claim 15.

***Rejection of Claims 2, 4-7, 9-14 and 16 under 35 U.S.C. § 103***

Claims 2, 5-7, 9, 10 and 12-14 are rejected under 35 U.S.C. § 103 as being obvious from Joss, McCombe and Ahn in view of Nilsson, WO 01/10109.

Claim 4 is rejected under 35 U.S.C. § 103 as being obvious from Joss, McCombe and Ahn in view of Yamaguchi et al (U.S. Patent No. 6,002,931).

Claim 11 is rejected under 35 U.S.C. § 103 as being obvious from Joss, McCombe, Ahn and Yamaguchi in view of Nilsson, WO 01/10109.

Claim 16 is rejected under 35 U.S.C. § 103 as being obvious over Joss, McCombe, Ahn and Foti in view of Rosenberg et al., U.S. Patent Application Publication No. 2003/0013434.

Reconsideration of these rejections is respectfully requested.

Yamaguchi, Nilsson and Rosenberg do not cure the above-discussed deficiencies of Joss, McCombe, Ahn and Foti as they relate to the above-cited features of claim 15. Further, the Office Action does not allege that Yamaguchi, Nilsson, Rosenberg and Foti disclose or suggest such features. Therefore, since claims 2, 4-7, 9-14 and 16 depend from claim 15, they are patentably distinguishable over the cited art for at least the same reasons.

***New Claim***

New claim 17 is added so as more fully to claim patentable aspects of Applicant's invention. New claim 17 is fully supported by Applicant's disclosure.


New claim 17 requires a contracted service module comprising a contracted service unit operable to provide the contracted advanced services to the mobile subscriber unit traveling in the foreign network in real time by referring only to the identifying data stored in the second data storage unit to determine the location of the mobile subscriber unit and by referring to the features data stored in the second data storage unit to determine whether the mobile subscriber unit is capable of receiving the contracted advanced services in the foreign network. As discussed, the cited art does not disclose or suggest such features and therefore claim 17 is patentably distinguishable over the cited art for reasons analogous to why claim 15 is patentably distinguishable over the cited art.

In view of the foregoing discussion, withdrawal of the rejections and allowance of the claims of the application are respectfully requested.

THIS CORRESPONDENCE IS BEING  
SUBMITTED ELECTRONICALLY  
THROUGH THE UNITED STATES  
PATENT AND TRADEMARK OFFICE  
EFS FILING SYSTEM  
ON **February 19, 2008**

RCF:GB:ns

Respectfully submitted,



Robert C. Faber  
Registration No. 24,322  
OSTROLENK, FABER, GERB & SOFFEN, LLP  
1180 Avenue of the Americas  
New York, New York 10036-8403  
Telephone: (212) 382-0700